

LEWIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

STAFF REPORT

To: Lewis County Planning Commission

From: Phil Rupp

Date: September 14, 2010

Subject: Rezone Application #156

ISSUE:

The re-designation of approximately 830 acres on the north side of Mineral Lake from Forest Land of Long Term Commercial Significance (FRL) to Forest Land of Local Importance.

BACKGROUND:

This application and request was first brought to the County in 2008. At that time and again in 2009 the application was reviewed and a recommendation was made for the land to remain in FRL. Both recommendations were remanded back to the Planning Commission by the BOCC for further review.

The most recent application has reduced the land to be re-designated from approximately 2000 acres to approximately 830 acres.

DISCUSSION:

The fundamental question remains today as it did in the previous reviews. That is, not whether this land qualifies for classification as FRL, but whether the long-term FRL designation is in error because it meets the local FRL criteria. To answer this, one must apply Lewis County Code (LCC) 17.30.420-430.

This section of code considers land that has first qualified for FRL classification. It then designates two FRL categories. Long term FRL are those within minimum blocks of 5,000 contiguous acres and all federally owned lands managed for their forest resources. Local FRL are those that meet most of the long term criteria. The difference between the two is that local FRL is located near available public services, economic conditions affect the ability to manage these timber lands for long term FRL, and there is a history of land development permits nearby indicating that residential development is encroaching on the forest land.

The reason for these differences is to implement the different maximum densities and minimum lot areas for the two designations. Long term FRL has an 80-acre minimum lot area for subdivision of lands and local FRL has a 20-acre minimum lot area for subdivision of lands.

Additionally, local FRL follows a special “opt-in” process under LCC 17.30.560. The code states, “an “opt-in” provision is provided for the voluntary designation of properties as forest land of local importance by the property owner(s) upon the timely written notification to the administrator of their desire for such designation”. This statement suggests that this option is an allowance for property owner(s) who do not meet the FRL criteria who are practicing forestry to self-designate.

On review, staff again finds that this land is within a 5,000 acre contiguous block of FRL. Staff acknowledges the existence of rural settlements nearby with the unincorporated town of Mineral and subdivision tracts along the Nisqually at the northern boundary. However, it does not appear that public services would be available to support higher levels of residential use at this location at this time. Nor does the history of development permits indicate that the area is showing a pattern or direction of growth that will encroach on the forest land. As such, it does not appear that there are any factors relating to economic condition issues, such as “nuisance” complaints, affecting the economic ability for the property owner to manage these lands for long term commercial production.

Therefore, staff does not support transitioning this land from long term FRL to local FRL. The recommendation is to leave the current land use designation for application #156 as FRL of Long-term Commercial Significance.

RECOMMENDATION:

The Planning Commission set a public hearing for October 5, 2010 in Mineral to consider the request to change the designation of approximately 830 acres from Forest Land of Long Term Commercial Significance (FRL) to Forest Land of Local Importance.